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| APPLICATION NO. | FILING DATE | FIRST NAMED INVENTOR | ATTORNEY DOCKET NO. | CONFIRMATION NO. |
|-----------------|-------------|----------------------|---------------------|------------------|
| 09/709,487 | 11/13/2000 | Rudy G Bonefas | 003636.0098 | 4562 |

36405 7590 02/17/2004

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| EXAMINER |
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BRUCKART, BENJAMIN R

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| ART UNIT | PAPER NUMBER |
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2155

DATE MAILED: 02/17/2004

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Please find below and/or attached an Office communication concerning this application or proceeding.

Office Action Summary

Application No.

09/709,487

Applicant(s)

BONEFAS ET AL.

Examiner

Benjamin R Bruckart

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-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 1 MONTH(S) FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If the period for reply specified above is less than thirty (30) days, a reply within the statutory minimum of thirty (30) days will be considered timely.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

Status

- 1) ☒ Responsive to communication(s) filed on 30 April 2003.
- 2a) ☐ This action is **FINAL**. 2b) ☐ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

Disposition of Claims

- 4) ☒ Claim(s) 1-85 is/are pending in the application.
- 4a) Of the above claim(s) _____ is/are withdrawn from consideration.
- 5) ☐ Claim(s) _____ is/are allowed.
- 6) ☐ Claim(s) _____ is/are rejected.
- 7) ☐ Claim(s) _____ is/are objected to.
- 8) ☒ Claim(s) 1-30 and 55-66; 31-55; 67-74; 75 and 76; 77-85 are subject to restriction and/or election requirement.

Application Papers

- 9) ☐ The specification is objected to by the Examiner.
- 10) ☐ The drawing(s) filed on _____ is/are: a) ☐ accepted or b) ☐ objected to by the Examiner.
Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).
Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).
- 11) ☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

Priority under 35 U.S.C. § 119

- 12) ☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) ☐ All b) ☐ Some * c) ☐ None of:
1. ☐ Certified copies of the priority documents have been received.
 2. ☐ Certified copies of the priority documents have been received in Application No. _____.
 3. ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).

* See the attached detailed Office action for a list of the certified copies not received.

Attachment(s)

- | | |
|--|---|
| 1) <input type="checkbox"/> Notice of References Cited (PTO-892) | 4) <input type="checkbox"/> Interview Summary (PTO-413) Paper No(s)/Mail Date. _____ |
| 2) <input type="checkbox"/> Notice of Draftsperson's Patent Drawing Review (PTO-948) | 5) <input type="checkbox"/> Notice of Informal Patent Application (PTO-152) |
| 3) <input type="checkbox"/> Information Disclosure Statement(s) (PTO-1449 or PTO/SB/08) Paper No(s)/Mail Date _____ | 6) <input type="checkbox"/> Other: _____ |

Detailed Action

Claims 1-85 are pending in this Office Action.

Change of Address

The change of address received on 9/13/02 has been entered.

Election/Restrictions

Restriction to one of the following inventions is required under 35 U.S.C. 121:

I. Claims 1-8; 9-30; and 55-66, are drawn to a system and a method of deploying content to devices comprising means or steps for changing a format of the data transferred between the computers, classified in class 709, subclass 246.

II. Claims 31-43; 44-47 and 48-55 are drawn to a method for or steps for processing user data in response to a demand to transfer data between the devices, classified in class 709, subclass 206.

III. Claims 67-74 are drawn to a means or steps for grouping data into a specified arrangement in order to transfer the grouped data between the computers by applying multiple transformations of data, classified in class 709, subclass 236.

IV. Claims 75-76 are drawn to a method wherein a server program, or script is executed at the request of a client program, classified in 719, subclass 311.

V. Claims 77-85 are drawn to a method that performs local data processing to interact with at least one remote computer which implements data processing in response to the local computer to transfer data between the local computer and the remote computer, classified in class 709, subclass 203.

The inventions are distinct, each from the other because of the following reason:

Invention Groups I, II, III, IV, and V are related as subcombinations disclosed as usable together in a single combination. The subcombinations are distinct from each other if they are shown to be separately usable. In the instant case, invention in Group I has separate utility such as deploying content comprising means or steps for changing a format of the data transferred between the devices. See MPEP § 806.05(c). Invention in Group II has separate utility and is a method for or steps for processing user data in response to a demand to transfer data between the devices with focus on style sheets. Invention in Group III has separate utility and is means or steps for grouping data into a specified arrangement in order to transfer the grouped data between the computers by applying multiple transformations of data. Invention of Group IV has separate utility as it is a server program, or script executed at the request of a client program to make the method. Group V is a method that performs local data processing to interact with at least one remote computer which implements data processing in response to the local computer to transfer data between the local computer and the remote computer.

Inventions in Groups I-V are unrelated. Inventions are unrelated if it can be shown that they are not disclosed as capable of use together and they have different modes of operation, different functions, or different effects (MPEP § 806.04, MPEP § 808.01). In the instant case the different inventions are (1) deploying content and transforming formats; (2) processing and selecting a corresponding style sheet to the identifier (3) selecting a plurality of transformation specifications to the data; (4) creating java bindings, wrapping them in a class and (5) processing the request to get the message key.

Because these inventions are distinct for the reason given above and have acquired a separate status in the art because of their recognized divergent subject matter, restriction for examination purposes as indicated is proper.

Because these inventions are distinct for the reasons given above and the search required for Group I is not required for Group II-V and visa versa, restriction for examination purposes as indicated is proper.

During a telephone conversation with Ashok Mannava on 2/9/04, he requested the office action be sent to him to make an election decision. Affirmation of an election must be made by applicant in replying to this Office action.

Applicant is reminded that upon the cancellation of claims to a non-elected invention, the inventorship must be amended in compliance with 37 CFR 1.48(b) if one or more of the currently named inventors is no longer an inventor of at least one claim remaining in the application. Any amendment of inventorship must be accompanied by a request under 37 CFR 1.48(b) and by the fee required under 37 CFR 1.17(i).

Conclusion

Any inquiry concerning this communication or earlier communications from the examiner should be directed to Benjamin R Bruckart whose telephone number is (703) 305-0324. The examiner can normally be reached on 8:00-5:30 PM with every other Friday off.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Hosain Alam can be reached on (703) 308-6662. The fax phone numbers for the

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organization where this application or proceeding is assigned are (703) 872-9306 for regular communications and After Final communications.

Any inquiry of a general nature or relating to the status of this application or proceeding should be directed to the receptionist whose telephone number is (703) 305-0324.

Benjamin R Bruckart
Examiner
Art Unit 2155

BRB

brb
February 10, 2004

Hosain Alam

**HOSAIN ALAM
SUPERVISORY PATENT EXAMINER**